

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of Luc Desnoyers et al. Serial No.: Not Yet Assigned | Group Art Unit: Not Yet Assigned Examiner: Not Yet Assigned |
| Filed: Herewith | Express Mail Label No.: EL 889 330 912 US December 24, 2001 |
| For: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME | |

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Prior to substantive examination of the above captioned patent application (which is filed herewith), and for calculation of the proper filing fee, Applicants respectfully request that the following amendments be entered.

In the Specification:

Please insert the following new paragraph at page 1, line 2:

--RELATED APPLICATIONS

This is a continuation application claiming priority under 35 USC §120 to US serial number 09/931836 filed 8/16/01 which claims priority under 35 USC §120 to U.S. serial numbers: 09/311832 Filed 5/14/99; 09/380142 Filed 8/25/99, now abandoned; 09/644848 Filed 8/22/00; 09/747259 Filed 12/20/00; 09/816744 Filed 3/22/01; 09/854208 Filed 5/10/01; 09/854280 Filed 5/10/01; 09/874503 Filed 6/5/01; 09/869599 Filed 6/29/01; 09/908,827 Filed 7/18/2001; and which claims priority under 35 U.S.C. §120 to PCT international application numbers: PCT/US99/10733 Filed 5/14/99; PCT/US99/28551 Filed 12/2/99; PCT/US99/30720 Filed 12/22/99; PCT/US00/05601 Filed 3/1/00; PCT/US00/05841 Filed 3/2/00; PCT/US00/14042 Filed 5/22/00; PCT/US00/15264

Filed 6/2/00; PCT/US00/23522 Filed 8/23/00; PCT/US00/23328 Filed 8/24/00; PCT/US00/32678 Filed 12/1/00; PCT/US00/34956 Filed 12/20/00; PCT/US01/06520 Filed 2/28/01; PCT/US01/17800 Filed 6/1/01; PCT/US01/19692 Filed 6/20/01; PCT/US01/21066 Filed 6/29/01; PCT/US01/21735 Filed 7/9/01; and which claims priority under 35 USC § 119 to US provisional application numbers: 60/085579 Filed 5/15/98; 60/112514 Filed 12/15/98; 60/113300 Filed 12/22/98; 60/113430 Filed 12/23/98; 60/113605 Filed 12/23/98; 60/113621 Filed 12/23/98; 60/114140 Filed 12/23/98; 60/115552 Filed 1/12/99; 60/116843 Filed 1/22/99; 60/125774 Filed 3/23/99; 60/125778 Filed 3/23/99; 60/125826 Filed 3/24/99; 60/127035 Filed 3/31/99; 60/127706 Filed 4/5/99; 60/129122 Filed 4/13/99; 60/130359 Filed 4/21/99; 60/131270 Filed 4/27/99; 60/131272 Filed 4/27/99; 60/131291 Filed 4/27/99; 60/132371 Filed 5/4/99; 60/132379 Filed 5/4/99; 60/132383 Filed 5/4/99; 60/135750 Filed 5/25/99; 60/138166 Filed 6/8/99; 60/144791 Filed 7/20/99; 60/146970 Filed 8/3/99; 60/162506 Filed 10/29/99; the entire disclosures of which are hereby incorporated by reference.--

In the Claims:

Please cancel Claims 1-21 without prejudice or disclaimer.

Please add new Claims 22-34 as follows.

--22. (New) An isolated polypeptide having at least 80% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (b) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45),

lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45);

(d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide; or

(e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

23. (New) The isolated polypeptide of Claim 22 having at least 85% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (b) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide;
- (c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide; or
- (e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

24. (New) The isolated polypeptide of Claim 22 having at least 90% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (b) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide;
- (c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide; or
- (e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

25. (New) The isolated polypeptide of Claim 22 having at least 95% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45);

- (b) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide;
- (c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide; or
- (e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

26. (New) The isolated polypeptide of Claim 22 having at least 99% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (b) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide;
- (c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide; or
- (e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

27. (New) An isolated polypeptide comprising:

- (a) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45);
- (b) the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide;
- (c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45);

(d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide; or

(e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

28. (New) The isolated polypeptide of Claim 27 comprising the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45).

29. (New) The isolated polypeptide of Claim 27 comprising the amino acid sequence of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide.

30. (New) The isolated polypeptide of Claim 27 comprising the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45).

31. (New) The isolated polypeptide of Claim 27 comprising the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 20 (SEQ ID NO:45), lacking its associated signal peptide.

32. (New) The isolated polypeptide of Claim 27 comprising the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203966.

33. (New) A chimeric polypeptide comprising a polypeptide according to Claim 22 fused to a heterologous polypeptide.

34. (New) The chimeric polypeptide of Claim 33, wherein said heterologous polypeptide is an epitope tag or an Fc region of an immunoglobulin.--

REMARKS

Claims 1-21 have been cancelled. New Claims 22-34 have been added. Applicants respectfully request early entry of these new claims for prosecution in this application. The Examiner is invited to contact the undersigned at (650)225-4563 if any issues may be resolved in that manner.

Attached hereto is a marked-up version of the changes made to the and by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Respectfully submitted,
GENENTECH, INC.

Date: December 26, 2001

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PATENT TRADEMARK OFFICE

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

A new paragraph beginning at page 1, line 2 has been added.

In the claims:

Claims 1-21 have been cancelled.

Claims 22-34 have been added.